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ABSTRACT

These procedures--developed by a special commission of the National Faculty Association of Community and Junior Colleges--describe the frequency, nature, process, and scope of such actions. The criteria and methods of evaluation are set at an initial conference between the evaluation team and the faculty member, and the college is obligated to make a genuine effort to assist each member in the improvement of his instruction. If a faculty member's contract is recommended for non-renewal by the evaluation team, the proceedings shall be reviewed by a Professional Practices Committee made up of three faculty members selected by the Faculty Association. If this committee recommends dismissal or non-renewal, then the Governing Board may act in accordance with established procedures and pursue the recommended action. Fundamental to the establishment of these procedures are the following concepts: (1) such procedures should apply to all faculty--probationary or tenured--from initial date of employment; (2) evaluation and the possibility of dismissal action are inseparable; (3) evaluation should be made by colleagues in the same area of specialization; (4) evaluation should be based on the particular instructor's objectives and instructional environment; and (5) only those procedures that are conducive to improvement and that cannot be applied in an arbitrary and threatening way should be used. (JO)

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NATIONAL FACULTY ASSOCIATION
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OF COMMUNITY & JUNIOR COLLEGES

OF THE NATIONAL EDUCATION ASSOCIATION

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Faculty Evaluation and Termination Procedures

JC 700 222

A SPECIAL REPORT OF THE

NATIONAL FACULTY ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES'

COMMISSION ON FACULTY EVALUATION

Approved by the NFA Board of Directors at Seattle, Washington on May 8 and 9, 1970

Adopted by the NFA Delegate Assembly at Palo Alto, California on June 29-30, 1970

Commission members:

Ralph Bottorff, Washtenaw Community College;

John Chase, Massasoit Community College;

Peter Dufour, Grays Harbor College.

EVALUATION AND TERMINATION PROCEDURES

During the past twelve months, a special NFA Commission on Faculty Evaluation has been working to develop a set of procedures, which we hope will revolutionize the process of evaluation on many American campuses.

Before developing its own plan for faculty evaluation, the Committee examined many existing systems, read widely in the literature and consulted a number of experts. Out of this, some fundamental concepts emerged which formed the basis of the Committee's plan.

First, the evaluation and termination process should apply to all faculty from the date of initial employment, regardless of probationary or tenured status; that the tenure/probation system too often means that faculty on probation are dismissed for the wrong reasons or for no reason at all, while those on tenure cannot be dismissed even for the right reasons: that there is no real distinction between dismissal and non-renewal of contract.

Second, that evaluation cannot be separated from the possibility of dismissal (non-renewal) unless we are prepared to say that dismissal of faculty is necessarily an arbitrary and capricious process, because whenever a faculty member is dismissed for incompetence, the dismissal must be based on an evaluation of his performance.

Third, that evaluation should be by peers, professional colleagues in the same area of specialization who are best able to judge what is and is not competence or incompetence. (This does not exclude the use of student questionnaires as one technique of evaluation. Judgment, however, is vested in the peer group.)

Fourth, that the criteria and methods of evaluation should be particularized rather than generalized; they should be suited to the particular instructor's objectives with a particular group of students in a particular course; that abstract criteria, divorced from the classroom situation, are impossible to devise and apply and that attempts to do so in the past have been one of the major reasons for the failure of current systems of evaluation.

Fifth, that if evaluation is to become an instrument for the improvement of instruction, it cannot also be used to threaten and punish faculty members; that the current system—or lack of any real system—of evaluation must be replaced by one which will inspire the confidence rather than the fear of faculty members; that in order to do so, the evaluation-termination process must include due process procedures which protect the civil, professional and human rights of faculty members from arbitrary and capricious violation.

In devising this system of evaluation, the NFA Commission specified these objectives:

1. Evaluation of all faculty in an atmosphere free of threat and fear.
2. Provision for a genuine effort on the part of the college to assist the faculty member in improvement of his instructional methods.
3. Where it becomes necessary to terminate a faculty member's employment, procedures which guarantee due process.

Following is an outline of the evaluation and termination procedures recommended by the NFA Commission on Faculty Evaluation:

EVALUATION AND TERMINATION PROCEDURES

I. The process shall apply to all faculty members from date of initial appointment.

II. All first-year faculty members shall be evaluated. All other faculty members shall be evaluated every three years.

III. Evaluation—

A. A separate evaluation team shall be established for each faculty member to be evaluated. Each evaluation team shall consist of one member of the faculty elected by the appropriate division, one member chosen by the faculty member being evaluated, and the appropriate department or division chairman.

B. In an initial conference criteria and methods of evaluation shall be mutually agreed upon by the evaluation team and faculty member. The criteria of evaluation shall be established according to the faculty member's particular objectives, consistent with the community college mission, to be agreed upon by all parties concerned with the evaluation.

C. The participants shall implement the evaluation in accordance with the criteria and methods agreed upon.

D. The results of the evaluation shall be reviewed by all participants.

E. A written report signed by all evaluation team members and the faculty member shall be placed in the faculty member's personnel file, with copies to the faculty member and the evaluation team. The report shall include the criteria and method of evaluation, an outline of strengths and weaknesses, and recommendations of the evaluation team for improvement.

F. An evaluated faculty member may answer the report in writing, his answer to be filed with the original report.

G. The evaluation report shall not be completed or written before the middle of the second half-year of teaching at the college, but will be completed within a reasonable period of time.

H. If the consensus of the evaluation is that the faculty member is seriously deficient in some area(s), he shall be so notified in writing, and the evaluation team and faculty member shall agree upon steps that can be taken by the faculty member to improve in this area(s). The evaluation team assumes the responsibility of providing assistance to the faculty member in improving his instructional techniques.

I. If a faculty member has received a letter of inadequacy, the evaluation process shall be repeated during the next ensuing half year beginning with the initial conference.

J. If a faculty member who has received a letter of inadequacy is found to be performing his duties in an unsatisfactory manner at the

end of the second evaluation period, then the evaluation team shall write a recommendation for non-renewal of contract and submit it to the faculty member and the Professional Practices Committee at least six weeks prior to the deadline for notification of intention not to renew his contract. This letter shall specify the deficiencies that form the basis of the unfavorable evaluation.

IV. Contract Termination

A. There shall be a Professional Practices Committee consisting of three faculty members appointed by the faculty association.

B. The Professional Practices Committee shall meet for the following purposes:

1. to review the evaluation of a faculty member who has been recommended for non-renewal of contract at the college. In this case they shall determine:
   a. whether or not a substantial evaluation was planned.
   b. whether or not the evaluation process was fairly and properly implemented.
   c. whether or not the faculty member was given written warning and adequate time and support to correct the deficiencies which form the basis for the recommendation for dismissal (non-renewal of contract).
   d. whether or not the evidence submitted demands the dismissal of the faculty member.
2. To hear and investigate a charge not stemming from the evaluation procedure, but including a request for the dismissal of a faculty member for cause. In the case of a faculty member accused of an act warranting dismissal rather than non-renewal of contract, charges shall be made formally and in writing to the Professional Practices Committee for its investigation. Only upon the recommendation of the Professional Practices Committee to the Governing Board shall any action to terminate the faculty member's employment or association with the college be initiated. Charges may be referred to the Professional Practices Committee by the Board of Governors, the President or other members of the Administration, by faculty members, students, of members of the community.

C. All proceedings of the Professional Practices Committee will be according to Due Process in which the faculty member is assured of full legal rights.

D. At the conclusion of its proceedings the Professional Practices Committee will prepare a written report. This report will be delivered immediately to the faculty member, the president of the college and the president of the local educational association. This report will be accompanied by all prior written materials in the case.

E. The college will furnish a secretary to record and transcribe all hearings held before the Professional Practices Committee.

V. If a recommendation is made to the Professional Practices Committee calling for dismissal or non-renewal of contract because of incompetence, the Professional Practices Committee shall consider only the faculty member's instructional responsibility and performance as determined by the evaluation process. If a charge is made in writing to the Professional Practices Committee calling for the dismissal of a faculty member for cause, his professional behavior shall be judged according to the *Code of Ethics of the Educational Profession* (adopted by the N.E.A. Representative Assembly, July 1968). No other reasons for dismissal or non-renewal of contract for cause shall be considered valid.

VI. If a recommendation for dismissal (non-renewal) is brought by the Professional Practices Committee before the Governing Board, the following procedure shall be implemented:

A. The written report of the Professional Practices Committee along with all written materials accompanying their report shall be transmitted to each member of the Governing Board.

B. The Governing Board shall provide the faculty member with a complete written statement of the charges upon which the dismissal is based.

C. Prior to reaching a decision the Governing Board shall grant a hearing to the faculty member at his request. The Board shall notify the faculty member and the local association of the date, time and place of the hearing at least ten (10) days prior to the meeting.

D. The hearing shall be open or closed at the option of the faculty member. The usual legal requirements will apply to all proceedings, including the right to professional representation, and legal counsel, the right of facing the individual(s) originating the charges, and the right to cross examine. The faculty member shall have access to all records and documents pertinent to his case.

E. The Governing Board may suspend the faculty member in question from active performance of duties while the case is brought before the Professional Practices Committee and until a decision is rendered by the Board, provided that full salary and benefits shall continue to be paid.

F. In no instance will the Governing Board terminate the employment of a faculty member except upon the recommendation of the Professional Practices Committee.

G. Should the decision of the Board be to terminate the services of the faculty member, the final resolution may be submitted to binding arbitration.

H. The termination procedure as defined above shall apply in all cases except that it shall not be interpreted in such a way as to modify or reduce the rights guaranteed under the Constitution and laws of the United States and of the several states.

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